



The Comptroller General  
of the United States

Washington, D.C. 20548

*W. J. F. H.*

## Decision

**Matter of:** Ramada Inn of Des Moines  
**File:** B-233504  
**Date:** February 6, 1989

---

### DIGEST

Procurement of meals, lodging, transportation, and a night conference room for Army recruits may be properly limited to firms within a 5-mile radius of the military processing station; limitation is not unduly restrictive where it reflects the agency's actual needs.

---

### DECISION

Ramada Inn of Des Moines protests a provision in invitation for bids (IFB) No. DAKF61-89-B-0002, issued by the Directorate of Contracting, Fort McCoy, Wisconsin, restricting competition for a contract to provide meals, lodging, transportation, and a night conference room for aptitude testing for armed forces applicants to bidders having facilities within a 5-mile radius of the Military Entrance Processing Station (MEPS) in West Des Moines, Iowa. The IFB was issued as a 100 percent small business set-aside. Ramada contends that this 5-mile radius requirement is unduly restrictive of competition. The protester states that there was no reason for reducing the requirement to 5 miles; the prior solicitation for the requirement used a 10-mile limit. Ramada also argues that all bids submitted under the IFB, although certified to be from small businesses, will in fact turn out to be from large businesses.

We deny the protest.

The agency reports that its decision to limit competition to a 5-mile radius resulted from its experience in fiscal years 1986 and 1987, when there was no such restriction but the contractor was located within 5 miles of the MEPS. One month into performance of that contract, the MEPS moved

044538/137887

12 miles to West Des Moines and the contractor was then about 11 miles from the MEPS. This resulted in frequent transportation problems with late arrivals at the MEPS. In this regard, the agency states that during the time period between 5:30 a.m. to 8:30 a.m. there were four scheduled runs between the hotel and the MEPS. The late arrivals resulted because these runs were made during the rush hour. These delays, according to the agency, caused disruption of the tight schedule needed for physical examinations at the MEPS.

Further, the agency states that it will administer tests to the applicants at the contractor's facility five nights per week between 6:30 p.m. and midnight, and this will require MEPS test administrators to drive between the facility and the MEPS at these late hours. According to the agency, its statistics show a high incident of MEPS personnel motor vehicle accidents involve MEPS test administrators. The agency concluded that the 5-mile radius requirement will reduce the possibility of delay in the testing due to traffic congestion and inclement winter weather and will also reduce the likelihood of motor vehicle accidents. Finally, the agency contends that the limit is consistent with the MEPS requirement that each applicant be presented with the "red carpet" treatment, which is designed to improve the professional image of the military recruitment process by eliminating lengthy travel and providing more personalized treatment.


Because of the statutory requirement for full and open competition, an agency may restrict a procurement to bidders within a specified geographical area only if the restriction is reasonably necessary for the agency to meet its needs. Treadway Inn, B-221559, Mar. 10, 1986, 86-1 CPD ¶ 236. The determination of the proper scope of a geographical restriction is a matter of the contracting agency's judgment and discretion, involving consideration of the services being procured, past experience, market conditions and other factors, including the adequacy of competition. See Malco Plastics, B-219886, Dec. 23, 1985, 85-2 CPD ¶ 701. We have consistently held that a geographical restriction may be imposed where the agency shows that it is reasonably necessary to meet its minimum needs. Shoney's Inn, B-231113, June 24, 1988, 88-1 CPD ¶ 609.

We find no basis in the record to challenge the reasonableness of the restriction imposed here. We have repeatedly recognized that saving time for military applicants and recruiters, increasing efficiency, reducing the possibility

of highway accidents and improving the impression that the processing has on the applicants provide legitimate bases for a geographical restriction. See, e.g., Treadway Inn, B-221559, supra. In fact, our Office has previously upheld a requirement for lodging within a 1-mile radius of the MEPS at Little Rock, Arkansas, as a reasonable geographical restriction which is reflective of the legitimate minimum needs of the government. See Shoney's Inn, B-231113, supra.

The 5-mile radius requirement, here, was based upon the agency's less than satisfactory experience under the prior contract which included a 10-mile limitation under the particular local conditions in Des Moines. In this regard, we note that the protester has not responded to any of the specific reasons set forth in the agency report justifying the use of the 5 mile restriction. Further, since the agency's justification was based on the circumstances in Des Moines, we do not find Ramada's reference to other MEPS locations that procure recruit lodging with more lenient geographical restrictions to be persuasive support for its claim that the specification is unreasonable. Moreover, the Army reports that it has received three timely bids in addition to the one submitted by the protester. While the protester states that these bids will be found to have in fact been submitted by large businesses, such speculation is an insufficient basis upon which to conclude that bids were not received from legitimate small businesses. See Shoney's Inn, B-231113, supra.

The protest is denied.

  
James F. Hinchman  
General Counsel